IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.K.MOHANAN

MONDAY, THE 24TH DECEMBER 2007 / 3RD POUSHA 1929

Bail Appl..No. 7897 of 2007()

(CRIME NO.402/2007 OF THE MANJESHWER POLICE STATION)

PETITIONERS/ACCUSED:

1. **MOOSA HAJI, S/O IBRAHIM,**
   SHEFA MEDICALS, HOSANKADI,
   B.MANJESHWAR, KASARAGOD.

2. **KALEEL, S/O MOOSA HAJI,**
   SHEFA MEDICALS, HOSANKADI, B.MANJESHWER,
   KASARAGOD.

3. **ASHIF, S/O MOOSA HAJI,**
   FATHIMA MANZIL, B.MANJESHWER,
   KASARAGOD.

BY ADV. SRI.T.B.SHAJIMON

RESPONDENT: COMPLAINANT:

STATE OF KERALA, REP. BY OF
THE SUB INSPECTOR OF POLICE, MANJESHWAR
POLICE STATION, REP. BY THE PUBLIC PROSECUTOR,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. AMJAD ALI

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 24/12/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

KSS

V.K.MOHANAN, J.

Bail Application No. 7897 of 2007

Dated this the 24th day of December, 2007

O R D E R

In this Petition filed under Sec. 438 Cr.P.C. the petitioners who are the accused in Crime No. 402 of 2007 of the Manjeshwar Police Station for offences punishable under Sections 323,324,452,326 read with 34 I.P.C. seek anticipatory Bail.

2. The learned Public Prosecutor opposed the application.

3. Anticipatory bail cannot be granted in a case involving such grave offences. It is too early to accept the petitioners' contention that the petitioners have been falsely implicated. There is no reason why the petitioners should not surrender before the magistrate concerned and seek regular bail. Accordingly, if the petitioners surrender before the Magistrate concerned within two weeks from today and file an application for regular bail, the same shall be considered and disposed of preferably on the same day on which it is filed bearing in mind the decision in **Sukumari v. State of Kerala** (2001(1) KLT 22).

With the above observation, this Application is disposed of .

V.K.MOHANAN, JUDGE

Mbs/